



December 11, 2020



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Hon. John P. Cronan
United States District Court,
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Sharkey, et al. v. Zimmer USA, Inc., et al.*, No. 1:20-cv-08258
Joint Request for Adjournment of Pretrial Conference

Dear Judge Cronan:

Undersigned counsel writes on behalf of both parties to request adjournment of the pretrial conference currently scheduled for December 21, 2020, which would also adjourn the parties' December 14, 2020 deadline to submit a joint case management plan in advance of that conference. The parties request adjournment of the pretrial conference until a date after January 29, 2020, which is when Defendant's motion to dismiss the Amended Complaint is scheduled to be fully submitted. See ECF No. 27.

The parties respectfully submit that once the Court has had the opportunity to review and resolve the motion to dismiss, the parties will be better able to discuss case scheduling and the scope of any anticipated discovery. In the event the Court denies this request, the parties have already met-and-conferred pursuant to Rule 26(f), and stand ready to submit a joint case management plan that contains the parties' proposals.

Accordingly, the parties respectfully request that the Court enter an order adjourning the pretrial conference currently scheduled for December 21, 2020.

Respectfully submitted,

COZEN O'CONNOR

Rv. Melanie A. Miller

The parties' request is GRANTED. The Initial Pretrial Conference ("IPTC") scheduled for December 21, 2020, at 4 p.m. is hereby adjourned *sine die*. If appropriate, the Court will schedule an IPTC after disposition of the anticipated Motion to Dismiss.

SO ORDERED.

Date: December 11, 2020

New York, New York

JOHN P. CRONAN
United States District Judge